

WARREN COUNTY BOARD OF SUPERVISORS

COMMITTEE: COUNTY FACILITIES

DATE: MAY 23, 2013

COMMITTEE MEMBERS PRESENT:

Supervisors Girard
Wood
Mason

OTHERS PRESENT:

JEFFERY TENNYSON, SUPERINTENDENT OF THE DEPARTMENT OF PUBLIC WORKS
ROSS DUBARRY, AIRPORT MANAGER
KEVIN B. GERAGHTY, CHAIRMAN OF THE BOARD
PAUL DUSEK, COUNTY ADMINISTRATOR

Committee Members Absent:

Supervisors Loeb
Westcott

JOAN SADY, CLERK OF THE BOARD
SUPERVISORS STRAINER
TAYLOR
STEVE ABBOTT, RICH AIR
DON LEHMAN, *THE POST STAR*
SARAH MCLENITHAN, LEGISLATIVE OFFICE SPECIALIST

Mr. Girard called the meeting of the County Facilities Committee to order at 2:00 p.m. and noted that due to the lack of Committee attendance, the Chairman of the Board provided a quorum of the Committee.

Motion was made by Mrs. Wood, seconded by Chairman Geraghty, and carried unanimously to approve the minutes of the previous Committee meeting, subject to correction by the Clerk of the Board.

Privilege of the floor was extended to Ross Dubarry, Airport Manager, who distributed copies of the agenda packet to the Committee members; *a copy of the agenda packet is on file with the minutes.*

Commencing the agenda review, Mr. Dubarry presented a request for transfer of funds in the amount of \$2,400 from the Airport budget to Transfers-Capital Projects to cover the cost of the Federal Aviation Administration (FAA) Independent Fee Estimate (IFE) for the Runway 1 End Obstruction Removal Project.

Motion was made by Mrs. Wood, seconded by Chairman Geraghty and carried unanimously to approve the request for transfer of funds as outlined above and to forward same to the Finance Committee. *A copy of the Request for Transfer of Funds form is on file with the minutes.*

Mr. Dubarry requested authorization to increase Capital Project H335.9550 280, Runway 1 End Obstruction Removal in the amount of \$2,400 to cover the cost of the mandatory IFE per the FAA grant requirements.

Motion was made by Mrs. Wood, seconded by Chairman Geraghty and carried unanimously to approve the request to increase Capital Project H335.9550 280, Runway 1 End Obstruction Removal as outlined above and to forward same to the Finance Committee. *A copy of the Request to Increase Existing Capital Project or Capital Reserve Project is on file with the minutes.*

With regards to the Runway 30 land/easement negotiations, Mr. Dubarry stated that he had received responses from all three property owners, the first of which was George Sicard. He said that Mr. Sicard was willing to grant the easement provided that he was permitted to construct a storage building on the property. Mr. Dubarry explained that pending a determination by the FAA of no hazard, the easement would be granted. Mr. Strainer questioned what side of Queensbury

Avenue the property was on and Mr. Dubarry replied all three properties were located on the opposite side of the road.

Mr. Dubarry advised Ronald Chartrand had sent a letter indicating that he would not grant an easement on his property. He stated Mr. Chartrand proposed a counter offer of selling the entire parcel of land with the exception of his house and the surrounding two acres of land. Mr. Dubarry indicated he received confirmation from the FAA that the purchase was eligible for reimbursement through grant funding. He noted it was an increase of \$300,000, with 5% being the County share.

Mrs. Wood asked if the County would have an easement on the two acre parcel and Mr. Dubarry replied in the affirmative. Mr. Girard advised Mr. Chartrand had indicated he would like to sell the property as soon as possible. Jeffrey Tennyson, Superintendent of the Department of Public Works (DPW), asked if the sale was approved how quickly could the grant application for reimbursement be submitted and Mr. Dubarry stated it would have to be submitted before the closing of the Federal Fiscal year, which was September 30, 2013. He explained that approval of the Board of Supervisors would be necessary at the August 16, 2013 Board Meeting in order to revise their offer to meet the deadline.

Mr. Mason entered the meeting at 2:11 p.m. and Mr. Girard provided him with a summary of the discussion.

Mr. Girard asked for clarification as to why Mr. Chartrand had changed his mind on the original agreement. Mr. Dubarry explained that Mr. Chartrand felt that if he were to grant the easements, the resale value of the property would be greatly diminished. Chairman Geraghty noted that there was the potential to develop the land. Mr. Dubarry explained that the property could be subdivided and sold, provided the easements were in place.

Mr. Mason queried whether the County would have to pay back the grant if the property was subdivided and sold and Mr. Dubarry replied in the negative. He advised that if the County sold the property, the funds had to be allocated to operation costs and/or improvements to the Airport. He said, for example, the County could request a land release from the FAA and negotiate with the Warren-Washington Counties Industrial Development Agency (IDA) to attempt to sell the property for industrial development. Mr. Strainer said that although the potential sale of the property would not be allocated to the general fund, it would increase property tax revenue. In response to a question by Mr. Strainer, Mr. Dubarry advised there were no delineated wetlands on the property and the property had suitable road frontage.

Mr. Girard noted purchasing all of the property was the only option Mr. Chartrand would agree to. Mr. Tennyson asked if the property was used for Balloon Festival parking would the revenue need to be allocated to Airport operating expenses and Mr. Dubarry replied affirmatively.

With regards to Tom Cahill's property, Mr. Dubarry advised Mr. Cahill was willing to grant an easement; however, he said, he had made a counter offer of \$75,000, declining the offer of \$47,600 which was proposed based on the evaluation and appraisal report. He noted that an easement on the property was crucial, as there were trees that were considered "critical obstructions" and needed to be cut down or the runway length would be cut in half. He explained a justification had been sent to the FAA through the Administrative Settlement Process advising that the \$75,000 was less than the amount that would be paid if eminent domain was initiated. Mr. Girard queried how long it would take to receive a response from the FAA and Mr. Dubarry replied he anticipated receiving a response rather quickly.

Mr. Girard questioned whether the County would have to apply for new grants to account for the changes requested and Mr. Dubarry replied in the negative. He explained that the grant applications could be revised or they could initiate eminent domain proceedings and take the property needed. Mr. Girard proposed continuing the discussion at the next Committee meeting and the Committee members agreed.

Mr. Dubarry advised that Schermerhorn Aviation II, Inc. had indicated they would like to extend their lease as the Fixed Based Operator (FBO) of the Airport. He explained that no changes had been made and the second term would be effective January 1, 2014. Mr. Girard stated he felt the County Attorney should review the contract and attend the next meeting for further discussion.

Mr. Mason added he would like the County Attorney to advise if it was possible to have more than one FBO at the Airport and Mrs. Wood agreed. Mr. Tennyson apprised that if the Board determined they would like to explore other options, a Request for Proposal (RFP) would need to be sent out prior to the end of the year. Mr. Dubarry noted that, according to the lease, an agreement would need to be reached prior to the end of June 2013. Mr. Tennyson informed the Committee he would invite the County Attorney to the next meeting to continue the discussion.

As there was no further business to come before the County Facilities Committee, on motion made by Mrs. Wood and seconded by Mr. Mason, Mr. Girard adjourned the meeting at 2:30 p.m. and a tour of the buildings located on the Airport property immediately followed.

Respectfully submitted,
Sarah McLenithan, Legislative Office Specialist